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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/550,931	07/17/2006	Karl-Otto Platz		3762

7590 02/07/2007  
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EXAMINER
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FASTOVSKY, LEONID M

ART UNIT	PAPER NUMBER
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3742

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	02/07/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

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<b>Office Action Summary</b>	<b>Application No.</b> 10/550,931	<b>Applicant(s)</b> PLATZ, KARL-OTTO	
	<b>Examiner</b> Leonid M. Fastovsky	<b>Art Unit</b> 3742	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 17 July 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 July 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>20050922</u> . | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Priority***

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

### ***Claim Objections***

2. Claim 8 is objected to because of the following informalities: it cites the electrical means (8) that should be (6). Appropriate correction is required.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-2, 4-9 and 11-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dawlr (GB2248160) in view of Lang et al (6,476,358).

Dawlr discloses a mirror comprising a first transparent glass plate 2 at least partly provided on the rear side with a reflecting coating 3, the first glass plate 2 is bonded to a second glass plate 4 with an adhesive layer 5,6 that must be transparent in order for the mirror being functioned and having a thickness of 0.38 mm, an electrically conductive heating coating 7 obtained by pyrolysis (page 11, lines 15-20) and integrated electrical means 8, 9 and an electrical cord 15 arranged on the side of the second glass 4 (Fig. 4). As for claim 7, Dawlr discloses a circumferential seal 20.

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However, Dawlr does not disclose the first glass 2 comprising half-reflecting portions and illumination means – a diode.

Lang discloses a mirror 2 having a reflective surface 10 with a partially reflective portion of the plate 10 with an aperture 58 and illumination means –a diode 42 (col. 4, lines 5-40 and Fig. 1). It would have been obvious to one having ordinary skill in the art to modify Dawlr's invention to include a partially reflective portion and a diode as taught by Lang in order to provide illumination of the mirror and made his mirror having half-reflecting portions and the thickness of the layer 5,6 about 10-12 mm because it is deemed that the particular use of the mirror will be determined by the user having a desired application in mind.

5. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Dawlr in view of Lang and further in view of Mischel, Jr. (5,408,069).

Dawlr in view of Lang discloses substantially the claimed invention, but does not disclose isolation paths. Mischel, Jr. discloses a heated mirror comprising a main heating layer 20 having integrated electrical means—leads 60a and 60b, the layer is divided into a plurality of conductor paths 36 and 38 which are separated from each other by an isolation paths 68 and 70 (col. 6, lines 54-68).

It would have been obvious to one having ordinary skill in the art to modify the invention of Dawlr in view of Lang to include isolation paths in their heating mirror in order to prevent the leads from shorting (col. 6, lines 65-68 and col. 7, lines 1-5).

6. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Dawlr in view of Lang and further in view of Brean (3,722,984).

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Dawlr in view of Lang discloses substantially the claimed invention, but does not disclose photocells. Brean discloses a heated mirror comprising a main heating layer 16 having switching means— a photocell 50.

It would have been obvious to one having ordinary skill in the art to modify the invention of Dawlr in view of Lang to include a photocell in their heating mirror in order to control usage of light generated by the mirror and it is deemed that the particular use of the mirror will be determined by the user having a desired application in mind.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Leonid M. Fastovsky whose telephone number is 571-272-4778. The examiner can normally be reached on M-Th. 8.00 am -6.00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robin Evans can be reached on 571-272-4777. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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Leonid M Fastovsky

Examiner

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